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2           UNITED STATES DISTRICT COURT  
3           WESTERN DISTRICT OF WASHINGTON  
4           AT TACOMA

5           EAGLE HARBOR HOLDINGS, LLC,  
6           and MEDIUSTECH, LLC,

7                 Plaintiffs,

8                 v.  
9           FORD MOTOR COMPANY,

10              Defendant.

CASE NO. CV11-5503BHS

JURY NOTES

NOTE NO. 1 FROM JURY:

Is asking for something considered  
"an inducement of a breach of duty to  
maintain secrecy" or must it  
be accompanied by threats or promises  
of reward.

10:10

3/25/15

Date/Time

Ed Nubel

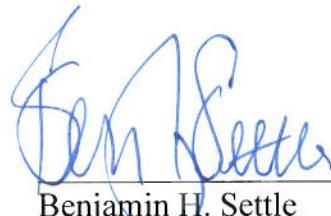
Jury Foreperson

COURT'S RESPONSE TO JURY NOTE

Response to Note 1:

The Court is substituting and giving you for your deliberations in this case Instruction 31A in lieu of 31 and 32A in lieu of 32. Please discard and disregard 31 and 32. You are referred also to Instructions 30, 33, 34, 35, and 36, as well as all other instructions. No instruction is more important than the others.

3/25/15 12:30 PM  
Date/Time



Benjamin H. Settle  
United States District Judge

1 SUBSTITUTE INSTRUCTION NO. 31A

2 **Trade Secrets–Misappropriation**

3 “Misappropriation” of a trade secret means acquisition of a trade secret without  
4 the express or implied consent of the owner of the trade secret by a person who knows or  
5 has reason to know that the trade secret was acquired by improper means.

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SUBSTITUTE INSTRUCTION NO. 32A

## **Trade Secrets—Improper Means—Definition**

The phrase “improper means” includes theft, bribery, misrepresentation, breach or  
violation of a duty to maintain secrecy, or espionage through electronic or  
other means.

Inducement is the act or process of enticing or persuading another person to take a certain course of action.

NOTE NO. 2 FROM JURY:

~~Is infringement dependent upon validity?~~

Is infringement dependent upon validity?  
That is, if we see a claim as invalid  
can it be infringed.

3/25/15 12:55pm

Date/Time

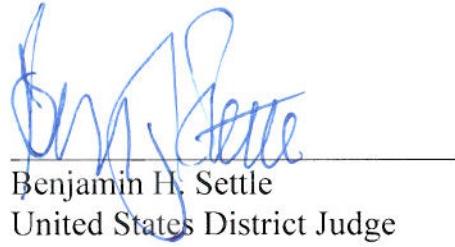
  
Jury Foreperson

COURT'S RESPONSE TO JURY NOTE 2

Response to Note 2:

You are referred to Instruction 50, as well as all other instructions. The verdict form asks you to determine whether a claim is infringed regardless of whether it is invalid and whether a claim is invalid regardless of whether it is infringed. No instruction is more important than the others.

3/25/15 1:30 pm  
Date/Time



Benjamin H. Settle  
United States District Judge